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Letter dated 19 December 2005 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

The Counter-Terrorism Committee has received the attached third report from the United Republic of Tanzania submitted pursuant to paragraph 6 of resolution 1373 (2001) (see annex). I would be grateful if you could arrange for the present letter and its annex to be circulated as a document of the Security Council.

(*Signed*) Ellen Margrethe **Løj**
Chairman
Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

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Annex

Note verbale dated 15 December 2005 from the Permanent Mission of the United Republic of Tanzania to the United Nations addressed to the Chairman of the Counter-Terrorism Committee

The Permanent Mission of the United Republic of Tanzania to the United Nations presents its compliments to the Chairman and has the honour to transmit herewith, for consideration, the response of the United Republic of Tanzania to the latter's letter of 11 October 2005 (see enclosure).

Enclosure

Response to the follow-up questions on the United Republic of Tanzania's second report (S/2005/192)

(A) Item 1.2 Effectiveness in the protection of the financial system

1.2.4 The Government in 2001 established a National Multidisciplinary Committee on Money Laundering which is responsible for coordinating the activities of different stakeholders in the war against money laundering and countering Financing of Terrorism. Also it has the function to assess the effectiveness of the policies and measures to combat money laundering and countering of Financing of Terrorism and advise the Government on legislative, regulatory and policy reforms in respect of the same. So far in collaboration with the US Treasury two sensitization seminars on Anti Money Laundering and countering Financing of Terrorism with emphasis to FATF 40 Recommendation plus 9 on CFT have been conducted to the members of Parliament of the United Republic and the Representatives of the Revolutionary Council of Zanzibar. It has also sensitized members of Bankers Association of Tanzania, Insurance Association of Tanzania and Senior Government officials on the same. It has also drafted a National Strategy on AML/CFT and has been involved in reviewing the law on the Proceeds of Crime, Act No. 25 of 1991 and came up with a comprehensive Anti Money Laundering Bill. The Committee meets once in a month and the Government is budgeting its activities from the consolidated fund.

(B) Item 1.3 Effectiveness of Counter-terrorism Machinery

1.3.1 The mechanisms through which the United Republic of Tanzania is provided with early warning of possible terrorist activities to other states is as follows:

- Through Southern Africa Regional Police Chiefs Coopcration Organization (SARPCO). This is an Interpol Regional Police Organization composed of twelve countries from Southern Africa namely, Tanzania, South Africa, Angola, Mozambique, Namibia, Malawi, Zambia, Botswana, Zimbabwe, Mauritius, Lesotho and Swaziland. The main objective of this organ is to fight cross

border crimes including terrorism. It is through the implementation of this objective that intelligence relating to different crimes including terrorism is shared through Interpol Sub-Regional Bureau in Harare, which is the Secretariat of this organ.

- Through Eastern African Regional Police Chiefs Cooperation (EARPCCO) it is an Interpol Police Organization, which is composed of nine countries from Eastern Africa, namely Tanzania, Kenya, Uganda, Rwanda, Burundi, Ethiopia, Eritrea, Sudan and Seychelles.

The main objective of this organ is to fight cross border crimes including terrorism. It is through the implementation of this objective that intelligence relating to different crimes including terrorism is shared through the Sub-Regional Bureau in Nairobi, which is the Secretariat of this organ.

- Through bilateral agreements between neighboring counties where exchange of information relating to terrorist activities is done.

1.3.2 In the meantime, the law enforcement agencies through specialized units do share information on countering terrorist attacks including countering financing of terrorism. The National Multidisciplinary Committee on Anti Money Laundering have sensitized members of Bankers and Insurance Associations respectively to report suspicious transactions on CFT to the Anti Terrorism Unit direct or via the Central Bank. There is a bill in the pipeline to establish a Financial Intelligence Unit which will be responsible for receiving, analyzing and disseminating information on CFT to the Police Anti Terrorist Unit.

1.3.3 The Police Anti Terrorism Unit (ATU) is part of the Tanzania Police Force under the Directorate of Criminal Investigation Department. The Anti Terrorism Unit is headed by an in-charge who is directly responsible to the Director of Criminal Investigation. Likewise, the Interpol section is under the Directorate of Criminal Investigation. It is through this structure that these two units are closely related. Since the members of this unit are Police Officers, they draw their powers to perform their duties from relevant laws as is the case with normal Police Officers.

The function of this unit includes intelligence gathering and investigation of terrorist organizations and/or groups and individuals who are planning to carry out terrorist activities in our country and disrupt them.

1.3.4 The Police Anti Terrorism Unit applies investigative techniques such as search, interrogation and interview, manual surveillance and controlled deliveries. But we do not conduct electronic surveillance because we do not have the equipment. Also for other techniques we do not have enough equipment for the organization such as vehicles, motorcycles, computers for database, interception equipment, bullet-proof jackets and bomb blast suits. On the issue of training, only a few police officers have been provided with training.

(C) **Item 1.4 Effectiveness of Customs, Refugees, Immigration and Border Control**

1.4.2 The State Security Personnel and Police Officers at the entry points are normally furnished with full particulars and if possible photographs of the wanted terrorists available at Interpol database and from other sources to check against possible penetration of known terrorists through our entry points.

1.4.3 In the meantime, we don't have a law to control cash couriers. However, we are sensitizing the public to report suspicious cash couriers to the Police. However, in the Money Laundering Bill it will be a predicate offence which involves reporting of a suspicious transaction to the FIF. Even precious stone dealers will have an obligation to report any suspicious transaction. For licensing, they are being regulated by the Ministry of Energy and Minerals.

1.4.4 Police, State Security and Customs officers at Border Posts are responsible for monitoring the cross-border movement of arms, explosives, weapons of mass destruction and other hazardous materials. Legally no one is allowed to carry these items/materials except with valid license from proper authorities. And in case of the movement of large quantities of these items/materials, it is mandatory that the police should conduct escorts.

(D) Item 1.6 – Effectiveness of controls preventing access to weapons by terrorists

1.6.1 As a matter of controlling illicit proliferation of firearms, explosives and ammunition, it is necessary to file, register or check goods, declaration and supporting documentation concerning firearms prior to their import, export and transit.

Legally, the import, export and transit of these materials is controlled by the Tanzania Police Force through the Arms and Ammunition Act, 1991, and the Armourment Control Act, 1991.

The United Republic of Tanzania has implemented appropriate security measures concerning the import, export or transit of firearms; it conducts regular and surprise checks on their temporary storage, warehousing and transit. This operation is conducted by Police Officers of the rank of Gazetted Officers and above.

S/No.	Committee query	Suggested response
1.2.1	The Committee urges URT to expedite the adoption of bills related to money laundering controls and financing of terrorism and would appreciate receiving copies, particularly of the money-laundering bill.	The draft bill relating to money laundering control is at an advanced stage of enacting it into law. The same is expected to be enacted into law by 2006. A copy of the law will be submitted to the Committee as soon as it is enacted.
1.2.6	The Committee wants to know which professions other than lawyers and brokers would be required to report suspicious transactions to relevant authorities and whether the reporting obligations would extend to transactions suspected of being related to terrorism.	In coming up with a robust anti-money laundering regime Tanzania will implement the FATF 40 + 9 recommendations. As such, lawyers, notaries, other independent legal professionals and accountants, casinos, dealers in precious metals and dealers in precious stones will be subjected to AML/CFT requirements.
1.2.7	The Committee would like to receive an outline of the features of the proposed Financial Intelligence Unit.	In accordance with the draft Money Laundering Control Bill, the FIU will be established under the Ministry of Finance as an Extra Ministerial Department. It will be headed by a Commissioner who shall be appointed by the President of the United Republic of Tanzania. The Ministry of Finance is working on the organization structure of the FIU so that it can become operational after the AML bill is enacted into law.
1.2.8	Given that the URT has no laws and procedures for regulating informal remittance systems and since these systems have shown themselves vulnerable to misuse for purposes of money laundering and terrorist financing, what steps does URT intend to take in order to regulate currency or security transfer services which operate through such systems?	The country is currently preparing its National AML/CFT strategy and consultations with all stakeholders will be undertaken and robust measures for regulating informal remittance systems are expected to be proposed and thereafter implemented to eliminate vulnerability and misuse of such systems.

1.2.9	Effective implementation of paragraph 1 (d) of the resolution requires to have in one place an appropriate monitoring mechanism-involving, for example registration and auditing in order to ensure that funds collected by non-profit organizations that have or claim to have charitable, religious, social or cultural goals are not diverted for other than their stated purposes, particularly for the financing of terrorism. The Committee would welcome information on such mechanisms that exist or is planned in the URT.	Relevant authorities where such organizations are registered, undertake vetting of non-profit organizations and other Non-Government Organizations. No Organization can be allowed to operate in Tanzania without undergoing thorough vetting which would entail knowing the purpose of such entity, office bearers, sources of funds, activities they will engage in and subsequent follow up of their activities.
1.4.5	What measures are in place to monitor the cross-border movement of cash and other monetary instruments, precious stones and metals, and their couriers?	Within the framework of the draft bill on Anti-Money Laundering Control and AML/CFT strategy, Tanzania will implement FATF recommendations relating to cash couriers with the view to detecting and preventing cross-border transportation of cash by terrorists and other criminals in accordance with international best practices based on special recommendation IX.